

State of Kansas

**Department of Health
and Environment**

Notice of Committee Meetings

The Kansas Department of Health and Environment, Health Occupations Credentialing Technical Review Committee, will conduct a series of public meetings to review the application submitted by the Kansas Association of Sleep Professionals to credential polysomnographers (sleep technicians). The meetings will take place at 9:30 a.m. in the Crumbine Room of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, on the following dates: April 3, May 8, June 12 and July 10. For more information contact Paul Gerard Marx, associate chief counsel, Office of Legal Services, at 785-296-0088.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 042341

State of Kansas

**Department of Health
and Environment**

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. DCP Midstream, L.P. — Ulysses Compressor Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

DCP Midstream, L.P., 370 17th St., Suite 2500, Denver, Colorado, 80202, owns and operates the Ulysses Compressor Station, a natural gas compressor station located at Section 24, T29S, R36W in Grant County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon March 31.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon March 31 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 042326

State of Kansas

**Department of Health
and Environment**

**Notice of Hearing on Proposed
Administrative Regulation**

The Kansas Department of Health and Environment, Division of Environment, Bureau of Water, will conduct a public hearing at 1 p.m. Thursday, May 15, in the Azure Conference Room, fourth floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of proposed amended regulation K.A.R. 28-16-28g regarding Kansas surface water quality standards that adopts by reference the updated Kansas Surface Water Register. A summary of the proposed regulation and the estimated economic impact follows:

Summary of Regulation:

K.A.R. 28-16-28g is the classification and use designation section of the Kansas Surface Water Quality Standards. Water bodies are evaluated by a designated use attainability analysis (UAA) to determine the appropriate use designations. Designated uses of surface waters are listed in the Kansas Surface Water Register that is adopted by reference in K.A.R. 28-16-28g. The register identifies major classified streams, lakes and wetlands and the uses that are existing or attainable. Upon review since the last Kansas Surface Water Register dated De-

(continued)

cember 15, 2010, 269 stream segments and three lakes are proposed for change of designated uses. Five new lakes are added with UAAs completed. Three new stream segments are added and two lakes are proposed for deletion (removed from classification).

Economic Impact:

Costs to the agency: The costs to KDHE of the updated and revised Kansas Surface Water Register adopted by the proposed amended regulation are from conducting the designated uses and recreational UAAs. Funds to cover the original designated use and recreational UAAs were specifically appropriated from the State Water Plan and state general funds. KDHE anticipates that any additional UAA work will be absorbed within the current budget and staff. Costs to implement the proposed amended regulation and updated Kansas Surface Water Register should not cause any significant annual cost increases.

Costs to the public: There are no known additional costs to the public of additional UAA work or implementing the proposed amended regulation.

Costs to other governmental agencies or units: There are no known additional costs associated with implementation of the proposed amended regulation.

The time period between publication of this notice and the scheduled hearing serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed amended regulation. At any time during the public comment period any interested parties may submit written comments to Mike Butler, Kansas Department of Health and Environment, Bureau of Water, 1000 S.W. Jackson, Suite 430, Topeka, 66612-1274, by fax at 785-296-6247, or by e-mail to mbutler@kdheks.gov. During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed regulation as well as an opportunity to submit their written comments. In order to give each individual an opportunity to present their views, it may be necessary for the hearing officer to request that each presenter limit any oral presentation to an appropriate time frame.

Complete copies of the proposed regulation and the corresponding regulatory impact statement may be obtained on the Bureau of Water website at http://www.kdheks.gov/befs/download/Current_Kansas_Surface_Register.pdf or by contacting Mike Butler at the address above, 785-296-5580 or fax 785-296-6247.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and regulatory impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Mike Butler.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 042339

State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Office of Laboratory Services, will conduct a public hearing at 10 a.m. Tuesday, May 6, in Suite 530 of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of proposed amended regulations K.A.R. 28-14-1 and 28-14-2 regarding fees for Office of Laboratory Services analysis of public water supply system samples. A summary of the proposed regulations and the estimated economic impact follows:

Summary of Regulations:

K.A.R. 28-14-1. Fees for analysis of samples from public water supply systems. Updates the name of the laboratory to the Office of Laboratory Services.

K.A.R. 28-14-2. Schedule of fees. Updates the name of the laboratory to the Office of Laboratory Services, clarifies denial of services for nonpayment, and revises fees for analytical services.

Economic Impact:

Costs to the agency: No additional costs will be incurred by KDHE for these regulatory changes. KDHE already collects fees for laboratory analytical services and, therefore, has the staff and system to invoice and deposit these fees.

Costs to the regulated community and consumers: The total estimated additional cost to the drinking water suppliers in the state is \$233,400 per year. There are approximately 1,000 drinking water suppliers in the state. Therefore, the average additional annual cost is estimated to be \$233 for each water supplier. The drinking water suppliers may increase the rates to their customers to offset the new proposed analytical fees.

Costs to other governmental agencies or units: Many of the drinking water suppliers in the state are operated by cities or rural water systems. The estimated additional \$233 per year may cause the drinking water suppliers to increase their rates. The rate increase would affect all customers including other government agencies.

The time period between publication of this notice and the scheduled hearing serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed amended regulations. At any time during the public comment period any interested parties may submit written comments to Melissa Hammond, Kansas Department of Health and Environment, Division of Environment, Office of Laboratory Services, 1000 S.W. Jackson, Suite 430, Topeka, 66612, by fax at 785-291-3266, or by email to mhammond@kdheks.gov. During the hearing all interested parties will be given a reasonable opportunity to present their views orally on the proposed regulations as well as an opportunity to submit their written comments. In order to give each individual an opportunity to present their views, it may be necessary for the hearing officer to request that